

(A) as an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and as such is deemed a part of the rules of each House, respectively, and such procedures supersede other rules only to the extent that they are inconsistent with such other rules; and

(B) with the full recognition of the constitutional right of either House to change the rules (so far as relating to the procedures of that House) at any time, in the same manner, and to the same extent as any other rule of that House.

(g) APPLICATION TO MINISTERIAL CHANGES.—This section shall not apply with respect to any ministerial changes to a trade agreement.

SA 1566. Mr. TUBERVILLE submitted an amendment intended to be proposed by him to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title III of division F, insert the following:

SEC. 63 . APPOINTMENT OF CDC DIRECTOR.

Part A of title III of the Public Health Service Act (42 U.S.C. 241 et seq.) is amended by adding at the end the following:

“SEC. 310B. APPOINTMENT OF CDC DIRECTOR.

“The President shall appoint, by and with the advice and consent of the Senate, the Director of the Centers for Disease Control and Prevention.”.

SA 1567. Mr. TUBERVILLE submitted an amendment intended to be proposed by him to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III of division F, insert the following:

SEC. 6302. PROHIBITION ON ACCESS TO ASSISTANCE BY FOREIGN ADVERSARIES.

(a) IN GENERAL.—None of the funds appropriated pursuant to this Act may be provided to an entity—

(1) under the foreign ownership, control, or influence of the Government of the People's Republic of China or the Chinese Communist Party, or other foreign adversary;

(2) determined to have beneficial ownership from foreign individuals subject to the jurisdiction, direction, or influence of foreign adversaries; and

(3) that has any contract in effect at the time of the receipt of such funds, or has had a contract within the previous one year that is no longer in effect, with—

(A) the Government of the People's Republic of China;

(B) the Chinese Communist Party;

(C) the Chinese military;

(D) an entity majority-owned, majority-controlled, or majority-financed by the Gov-

ernment of the People's Republic of China, the CCP, or the Chinese military; or

(E) a parent, subsidiary, or affiliate of an entity described in subparagraph (D).

(b) DEFINITIONS.—The terms “foreign ownership, control, or influence” and “FOCI” have the meanings given those terms in the National Industrial Security Program Operating Manual (DOD 5220.22-M), or a successor document.

SA 1568. Mr. TUBERVILLE submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title V of division B, add the following:

SEC. . LIMITATION ON USE OF FUNDS TO CONDUCT RESEARCH OR DEVELOPMENT OF A BIOMEDICAL PRODUCT.

None of the funds appropriated to carry out this Act may be used to conduct research or development of a biomedical product if the product is subject to an intellectual property waiver or forced technology transfer.

SA 1569. Mr. TUBERVILLE submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

In section 2307, strike paragraph (2) of subsection (a) and all that follows through the end of subsection (b) and insert the following:

(2) STUDY PERIOD.—The term “study period” means the 1-year period ending on the date of enactment of this Act.

(b) STUDY.—The Comptroller General of the United States shall conduct a study on Federal funding made available, to foreign entities of concern for research, during the study period. No Federal funding shall be made available to foreign entities of concern for research between the date of enactment of this Act and the date on which the Comptroller General completes the study under this subsection.

SA 1570. Mr. TUBERVILLE submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job cre-

ation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. . PROHIBITING TSP INVESTMENT IN CHINA.

(a) FINDINGS.—Congress finds the following:

(1) The Thrift Savings Fund invests more than \$700,000,000,000 on behalf of plan participants. As the guardian of the retirement funds of approximately 6,000,000 Federal civilian and military plan participants, it is critical that sums in the Thrift Savings Fund are not invested in securities linked to the economy of the People's Republic of China.

(2) Companies headquartered in the People's Republic of China have repeatedly committed corporate espionage, violated sanctions imposed by the United States, flouted international property laws, committed theft, and failed to comply with audit and regulatory standards designed to safeguard investors.

(3) The Thrift Savings Plan is known for its low management fees and comprehensive array of investment strategies. The provisions of this section, and the amendments made by this section, will not increase fees imposed on participants of the Thrift Savings Plan.

(4) The November 2017 selection of the MSCI ACWI Index by the Federal Retirement Thrift Investment Board, initially scheduled to be effective in 2020, would violate the terms of subsection (i) of section 8438 of title 5, United States Code, as added by subsection (b)(1) of this section.

(b) PROHIBITION ON ANY TSP FUND INVESTMENT IN ENTITIES BASED IN THE PEOPLE'S REPUBLIC OF CHINA.—

(1) IN GENERAL.—Section 8438 of title 5, United States Code, is amended by adding at the end the following:

“(i) Notwithstanding any other provision of this section, no fund established or overseen by the Board may include an investment in any security of—

“(1) an entity based in the People's Republic of China; or

“(2) any subsidiary that is owned or operated by an entity described in paragraph (1).”.

(2) DIVESTITURE OF ASSETS.—Not later than 30 days after the date of enactment of this Act, the Federal Retirement Thrift Investment Board established under section 8472(a) of title 5, United States Code, shall—

(A) review whether any sums in the Thrift Savings Fund are invested in violation of subsection (i) of section 8438 of that title, as added by paragraph (1) of this subsection;

(B) if any sums are invested in the manner described in subparagraph (A), divest those sums in a manner that is consistent with the legal and fiduciary duties provided under chapter 84 of that title, or any other applicable provision of law; and

(C) reinvest any sums divested under subparagraph (B) in investments that do not violate subsection (i) of section 8438 of that title, as added by paragraph (1) of this subsection.

(c) PROHIBITION ON INVESTMENT OF TSP FUNDS IN ENTITIES BASED IN THE PEOPLE'S REPUBLIC OF CHINA THROUGH THE TSP MUTUAL FUND WINDOW.—Section 8438(b)(5) of title 5, United States Code, is amended by adding at the end the following:

“(E) A mutual fund accessible through a paragraph may not include an investment in any security of—

“(i) an entity based in the People's Republic of China; or

“(ii) any subsidiary that is owned or operated by an entity described in clause (i).”.

SA 1571. Mr. TUBERVILLE submitted an amendment intended to be proposed by him to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . PROHIBITION ON FORCED TECHNOLOGY TRANSFER.

The transfer, forced by the United States Government or the World Trade Organization, of technology or intellectual property of a private United States entity to member countries of the World Trade Organization is prohibited.

SA 1572. Mr. TUBERVILLE submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title III of division F, insert the following:

SEC. 63 ____ . INVESTMENTS HELD DIRECTLY OR INDIRECTLY BY PLANS SUBJECT TO THE EMPLOYEE RETIREMENT INCOME SECURITY ACT OF 1974.

(a) IN GENERAL.—Section 404 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1104) is amended by adding at the end the following:

“(f) PROHIBITION ON INVESTMENTS IN THE PEOPLE’S REPUBLIC OF CHINA AND THREAT INVESTMENTS.—

“(1) IN GENERAL.—No fiduciary may cause the assets of any plan to be invested in, or to remain invested in, directly or indirectly (such as through a registered investment company or other investment vehicle)—

“(A) any publicly traded security, any equity interest, or any instrument of indebtedness (such as a debenture); or

“(B) any securities, equity interest, or instrument of indebtedness that is derivative of, or is designed to provide investment exposure to, a security, equity interest, or instrument of indebtedness described in subparagraph (A),

“(2) DIVESTITURE OF ASSETS.—Each plan fiduciary shall divest of any securities or other investments prohibited under paragraph (1) not later than 1 year after, as applicable—

“(A) the date of enactment of this subsection; or

“(B) in the case of any threat investment that is listed by the Secretary of Defense after the date of enactment of this subsection, the date on which such threat investment is listed.

“(3) THREAT INVESTMENTS.—For purposes of this subsection, the term ‘threat investment’ means any company or business operation identified and listed by the Secretary of Defense as a company or business operation that directly threatens the United States homeland or the Armed Forces of the United States overseas. The Secretary of Defense shall publish a list of any such companies annually and the Secretary of Labor shall republish such list on the website of the Department of Labor.”.

SA 1573. Mr. SASSE (for himself and Mr. BENNET) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title V of division B, insert the following:

SEC. ____ . PLAN FOR ARTIFICIAL INTELLIGENCE DIGITAL ECOSYSTEM.

(a) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Director of National Intelligence and the Secretary of Defense shall jointly develop a plan for the development and resourcing of a modern digital ecosystem that embraces state-of-the-art tools and modern processes to enable development, testing, fielding, and continuous update of artificial intelligence-powered applications at speed and scale from headquarters to the tactical edge.

(b) CONTENTS OF PLAN.—At a minimum, the plan required by subsection (a) shall include the following:

(1) A roadmap for adopting a hoteling model to allow trusted small- and medium-sized artificial intelligence companies access to classified facilities on a flexible basis.

(2) An open architecture and an evolving reference design and guidance for needed technical investments in the proposed ecosystem that address issues, including common interfaces, authentication, applications, platforms, software, hardware, and data infrastructure.

(3) A governance structure, together with associated policies and guidance, to drive the implementation of the reference throughout the intelligence community or Department of Defense, as appropriate, on a federated basis.

SA 1574. Mr. SASSE submitted an amendment intended to be proposed by him to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . REPEAL OF LIMITATION ON NUMBER OF TECHNICAL STAFF THAT MAY BE FUNDED FOR DEFENSE FEDERALLY FUNDED RESEARCH AND DEVELOPMENT CENTERS IN FISCAL YEAR 2021.

Section 8026 of the Consolidated Appropriations Act, 2021 (116-260) is amended—

(1) by striking subsection (d); and

(2) by redesignating subsection (e) as subsection (d).

SA 1575. Mr. SANDERS (for himself and Mr. MORAN) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III of division F, insert the following:

SEC. ____ . WORKER OWNERSHIP, READINESS, AND KNOWLEDGE.

(a) DEFINITIONS.—In this section:

(1) EXISTING PROGRAM.—The term “existing program” means a program, designed to promote employee ownership and employee participation in business decisionmaking, that exists on the date on which the Secretary is carrying out a responsibility authorized under this section.

(2) INITIATIVE.—The term “Initiative” means the Employee Ownership and Participation Initiative established under subsection (b).

(3) NEW PROGRAM.—The term “new program” means a program, designed to promote employee ownership and employee participation in business decisionmaking, that does not exist on the date on which the Secretary is carrying out a responsibility authorized under this section.

(4) SECRETARY.—The term “Secretary” means the Secretary of Labor.

(5) STATE.—The term “State” has the meaning given the term under section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102).

(b) EMPLOYEE OWNERSHIP AND PARTICIPATION INITIATIVE.—

(1) ESTABLISHMENT.—The Secretary of Labor shall establish within the Department of Labor an Employee Ownership and Participation Initiative to promote employee ownership and employee participation in business decisionmaking.

(2) FUNCTIONS.—In carrying out the Initiative, the Secretary shall—

(A) support within the States existing programs designed to promote employee ownership and employee participation in business decisionmaking; and

(B) facilitate within the States the formation of new programs designed to promote employee ownership and employee participation in business decisionmaking.

(3) DUTIES.—To carry out the functions enumerated in paragraph (2), the Secretary shall—

(A) support new programs and existing programs by—

(i) making Federal grants authorized under subsection (d); and

(ii) (I) acting as a clearinghouse on techniques employed by new programs and existing programs within the States, and disseminating information relating to those techniques to the programs; or